

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL ACTION NO. 3:13-cv-00560**

CARLOS GARCIA,

Plaintiff,

v.

**STATE FARM FIRE AND CASUALTY
COMPANY,**

Defendant.

ORDER

THIS MATTER is before the Court regarding Plaintiff's Motion for Dismissal (Doc. No. 24) and Defendant's Response (Doc. No. 26). Plaintiff requests that this case be dismissed pursuant to Federal Rule of Civil Procedure 41(a)(2). In response, Defendant takes no position on the Motion, but notes its belief that it is entitled to summary judgment as a matter of law. Therefore, the Court will withhold judgment on Plaintiff's Motion for Dismissal until Defendant's motion for summary judgment (Doc. No. 19) is fully briefed and ripe.

SO ORDERED.

Signed: December 2, 2014



Graham C. Mullen
United States District Judge

